

Ratliff	Secrest
Roberts	Shireman
Rogers	Strauss
of Childress	Wagonseller
Rogers of Travis	Willis

Absent

Ashley	Latimer
Hazlewood	

Absent—Excused

Corbin	Weinert
Martin	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Parkhouse
Bracewell	Phillips
Colson	Ratliff
Fly	Roberts
Fuller	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Lock	Strauss
McDonald	Wagonseller
Moore	Willis
Owen	

Nays—1

Moffett

Absent

Ashley	Latimer
Hazlewood	

Absent—Excused

Corbin	Weinert
Martin	

Adjournment

On motion of Senator Shireman, the Senate at 12:57 o'clock p. m. adjourned until 10:30 o'clock a. m. tomorrow.

## FIFTY-FOURTH DAY

(Tuesday, May 3, 1955)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Willis
McDonald	

Absent—Excused

Weinert

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"O God our Father, 'Where there is no vision, the people perish.' Open our spiritual eyes that we may see Thy servant who cried, 'Woe is me! . . . for I am a man of unclean lips'; and as we begin our work today, make us deeply conscious of Thy presence, Thy purity, and Thy power. For Christ's sake. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

## Leave of Absence

Senator Weinert was granted leave of absence for today on account of illness in the family on motion of Senator Lane.

## Reports of Standing Committees

Senator Hardeman submitted the following reports:

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 554, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

HARDEMAN, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 424, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HARDEMAN, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 912, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HARDEMAN, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 470, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HARDEMAN, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 743, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HARDEMAN, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 755, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HARDEMAN, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 895, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HARDEMAN, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 688, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HARDEMAN, Chairman.

Senator Fly submitted the following report:

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 803, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FLY, Chairman.

Senator Kelley submitted the following reports:

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred H. B. No. 893, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KELLEY, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred H. B. No. 748, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KELLEY, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred H. B. No. 881, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KELLEY, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred H. B. No. 911, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KELLEY, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred H. B. No. 404, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KELLEY, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred H. B. No. 908, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KELLEY, Chairman.

Senator Shireman submitted the following report:

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 774, have had the same under

consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SHIREMAN, Chairman.

Senator Moffett submitted the following reports:

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Agriculture, to whom was referred H. B. No. 343, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Agriculture, to whom was referred H. B. No. 342, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Chairman.

Senator Shireman submitted the following report:

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 886, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SHIREMAN, Chairman.

Senator Roberts submitted the following report:

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Public Buildings and Grounds, to whom was referred H. B. No. 131, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

ROBERTS, Chairman.

Senator Shireman submitted the following reports:

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 740, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SHIREMAN, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 816, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SHIREMAN, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 916, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SHIREMAN, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 765, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SHIREMAN, Chairman.

Senator Rogers of Childress submitted the following report:

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred H. B. No. 910, have had the same under consideration, and we are instructed to report it back to the

Senate with the recommendation that it do pass and be printed.

ROGERS of Childress,  
Chairman.

Senator Shireman submitted the following reports:

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 870, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIREMAN, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 923, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIREMAN, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 869, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIREMAN, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 640, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIREMAN, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game

and Fish, to whom was referred H. B. No. 896, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIREMAN, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 932, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIREMAN, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 883, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIREMAN, Chairman.

Senator Fly submitted the following reports:

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 742, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

FLY, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 933, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

FLY, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 880, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

FLY, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 929, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

FLY, Chairman.

Senator Lock submitted the following report:

Austin, Texas,  
May 2, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir, We, your Committee on Judicial Districts, to whom was referred H. B. No. 891, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

LOCK, Vice-Chairman.

Senator Shireman submitted the following report:

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

We, your Committee on Game and Fish, to whom was referred H. B. No. 739, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIREMAN, Chairman.

Senator Fly submitted the following reports:

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 898, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

FLY, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 375, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute for House Bill No. 375 attached hereto do pass and be printed.

FLY, Chairman.

C. S. H. B. No. 375 was read first time.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 884, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

FLY, Chairman.

#### Senate Resolution 304

Senator Martin offered the following resolution:

Whereas, We are honored today to have in the gallery a group of six students from the seventh and eighth grades of the St. Paul Lutheran School of The Grove, in Coryell County, Texas, accompanied by Reverend Leonard A. Eberhard, their teacher; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens is here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Martin by unanimous consent presented the students and the Reverend Eberhard to the Members of the Senate.

#### Senate Resolution 305

Senator Moore offered the following resolution:

Whereas, We are honored today to have in the gallery the Tehuacana Elementary School from Tehuacana, Limestone County, accompanied by Guy Hancock; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, These fine young American citizens are here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Moore by unanimous consent presented the students and Mr. Hancock to the Members of the Senate.

#### Senate Concurrent Resolution 53 on First Reading

Senator McDonald moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a resolution, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	McDonald
Ashley	Moffett
Bracewell	Moore
Colson	Owen
Corbin	Parkhouse
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Willis

Absent

Phillips

Absent—Excused

Weinert

The following resolution was then introduced, read first time and referred to the committee indicated:

S. C. R. No. 53, Granting Etexas Gas Producers Company permission to sue the State of Texas.

Whereas, Etexas Producers Gas Company, a Texas corporation, has been doing business in Texas continually since 1941; and

Whereas, Etexas Producers Gas Company paid to the State of Texas certain gas gathering taxes, beginning in the month of September, 1951, and continuing through July, 1952, which taxes were levied by Section XXIII of House Bill No. 285, Chapter 402, page 740, Acts of the Fifty-second Legislature of the State of Texas, which became effective September 1, 1951, and which said Act has been declared unconstitutional by the Supreme Court of the United States in the cases styled Michigan-Wisconsin Pipeline Company v. Robert S. Calvert et al., and Panhandle Eastern Pipeline Company v. Robert S. Calvert et al., 347 U. S. 157, 74 S. C. 396; and

Whereas, The United States Supreme Court has held that taxes paid under this Act were illegally and unlawfully extracted and that said Act was void and of no force and effect; and

Whereas, There is no provision of law whereby this money unlawfully extracted can be returned or recovered except through a direct appropriation by the Legislature; and

Whereas, There is no provision in the laws of the State of Texas to accurately and definitely determine what amount of taxes, if any, should be returned; and

Whereas, In order to definitely and accurately determine the same, it is the policy of this Legislature to let a court of competent jurisdiction pass upon the same; and

Whereas, It is the policy of the Legislature of the State of Texas to give and grant to persons and corporations the right to litigate any valid claim against the State of Texas in a court of competent jurisdiction; now, therefore, be it

Resolved, by the Senate of Texas, with the House of Representatives concurring, That Etexas Gas Producers Company be and it is hereby granted permission to bring suit against the State of Texas in any court of competent jurisdiction in Travis County, Texas, to recover

judgment against the State of Texas for all amounts of money heretofore illegally extracted and paid by Etexas Gas Producers Company under said unconstitutional law and service of citation for the purposes herein granted may be served upon the State of Texas by serving the Attorney General, the State Treasurer and the Comptroller of Public Accounts; and, be it further

Resolved, that such suit may be filed within two (2) years from the effective date of this resolution; and be it further

Resolved, That it is understood that the purpose of this resolution is solely to grant permission to bring suit against the State of Texas and no admission of the liability on the part of the State or of any fact is made by this resolution.

To the Committee on Civil Jurisprudenec.

#### Message from the Governor

The following message received from the Governor today was read and was referred to the Committee on Nominations of the Governor:

Austin, Texas,  
April 29, 1955.

To the Senate of the Fifty-fourth Legislature.

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be Criminal District Attorney for Galveston County effective immediately: Marsene Johnson of Galveston, Galveston County.

Respectfully submitted,  
ALLAN SHIVERS,  
Governor of Texas.

#### Senate Bill 429 on First Reading

Senator Lock moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hardeman
Ashley	Hazlewood
Bracewell	Kazen
Colson	Kelley
Corbin	Lane
Fly	Latimer
Fuller	Lock

Martin	Rogers
McDonald	of Childress
Moffett	Rogers of Travis
Moore	Secrest
Owen	Shireman
Parkhouse	Strauss
Phillips	Wagonseller
Ratliff	Willis
Roberts	

Absent—Excused

Weinert

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Lock:

S. B. No. 429, A bill to be entitled "An Act to amend Article XX, H. B. No. 8, Chapter 184, Acts of the Regular Session of the 47th Legislature as amended, and carried in Vernon's Texas Civil Statutes (Annotated) as Article 7083a, by adding thereto a new subsection to be numbered 4-c providing for the method and time of allocating the monies in the Clearance Fund; repealing all laws and parts of laws in conflict herewith, and providing a savings clause; and declaring an emergency."

To the Committee on Finance.

#### Senate Bill 430 on First Reading

Senator Rogers of Travis moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Willis
McDonald	

Absent—Excused

Weinert

The following bill was then intro-

duced, read first time and referred to the committee indicated:

By Senator Rogers of Travis:

S. B. No. 430, A bill to be entitled "An Act amending Article 653, R. C. S., 1925, providing that purchases and contracts awarded by the Board of Control for every State agency of any kind or character, shall be of the kind and type as requisitioned; providing that the specifications and conditions in such requisitions shall be subject to approval by the Board of Control; providing that any receiving agency of the State receiving items, supplies, equipment, or services shall inspect the same and if, in the opinion of the receiving agency, any of the items, supplies, equipment, or services do not meet specifications, such receiving agency is to notify the Board of Control in writing, setting forth reasons and particulars wherein specifications are not met; providing that the duty and power to determine whether such items, supplies, equipment, or services comply with specifications shall rest with the Board of Control; and declaring an emergency."

To the Committee on State Affairs.

#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 877, A bill to be entitled "An Act creating Newton County Water Supply District; providing for its organization and governing body; prescribing its powers, authority, functions, duties and privileges; providing a severability clause; and declaring an emergency."

H. C. R. No. 135, Suspending the Joint Rules of the two Houses to consider House Bill No. 729.

H. C. R. No. 137, Suspending the Joint Rules so that the House and the Senate may take up and consider Senate Bill No. 204 at any time.

H. C. R. No. 97, Granting W. D. Lander and A. L. Lander permission to sue the State and the Texas Highway Dept.

H. C. R. No. 119, Granting Robert E. Nesmith, Incorporated, permission



to sue the State and Texas Southern University.

H. C. R. No. 134, Authorizing the Speaker of the House and the President of the Senate to remove their signatures from the enrolled H. B. 377 and instructing the Enrolling Clerk of the House to make certain corrections in H. B. No. 377.

H. C. R. No. 136, Suspending the Joint Rules so that either House may take up and consider H. B. No. 467 at any time.

H. B. No. 65, A bill to be entitled "An Act relating to narcotic drugs and barbiturates; amending the Uniform Narcotic Drug Act (Article 725b, Vernon's Penal Code) and Chapter 413, Acts of the 52nd Legislature (Article 726c, Vernon's Penal Code) by making further provisions relative to records of prescriptions issued and drugs administered or dispensed; amending provisions of the foregoing statutes and Chapter 237, Acts of the 53rd Legislature (Article 725c, Vernon's Penal Code) relating to offenses for violation of these statutes and the penalties therefor; providing for severability; fixing operative dates; and declaring an emergency."

H. B. No. 687, A bill to be entitled "An Act to provide that a drainage district organized under the provisions of Article 3, Section 52, thereafter or hereafter converted to a reclamation district under Article 16, Section 59, of the Constitution, which district is within the boundaries of a single county, may add or annex additional territory within the same county upon the meeting of certain conditions; providing the Act is cumulative of existing laws pertaining to conservation and reclamation districts; providing ex officio salaries; providing a severance clause; and declaring an emergency."

S. C. R. No. 16, Granting Eddie L. Sheppard and wife permission to sue the State.

S. C. R. No. 28, Continuation of Committee to Study Texans.

S. C. R. No. 51, Commemorating and honoring the memory of Adina de Zavala.

H. B. No. 921, A bill to be entitled "An Act amending Chapter 541, Acts of the 51st Legislature, by authoriz-

ing the issuance of revenue refunding bonds to provide money for the payment of outstanding revenue bonds; enacting other provisions relating to the subject and declaring an emergency."

H. C. R. No. 116, Granting permission to Joe Villagran and wife, and Mrs. Dolores Guillen to sue the State of Texas.

The House has concurred in Senate amendments to House Bill No. 555 by viva voce vote.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives.

#### House Bill 884 Ordered Not Printed

On motion of Senator Moore, and by unanimous consent, H. B. No. 884 was ordered not printed.

#### Senate Resolution 306

Senator Moore offered the following resolution:

Whereas, We are honored today to have in the gallery the Seventh Grade of the Lott High School, accompanied by Andrew Nelson, teacher; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, These fine young American citizens are here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Moore, by unanimous consent, presented the students and Mr. Nelson to the Members of the Senate.

#### Presentation of Guests

Senator Rogers of Travis, by unanimous consent, presented students of the O. Henry Junior High School of Austin and their teacher, Mrs. Logan Cummings, to the Members of the Senate.

**Senate Resolution 307**

Senator Latimer offered the following resolution for Senator Weinert:

Whereas, We are honored today to have in the gallery 17 students of the Sixth, Seventh, Eighth and Tenth Grades of the Zorn School, Guadalupe County, accompanied by M. R. Woods, principal, and Mrs. Haynes, teacher; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens is here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

WEINERT  
LATIMER

The resolution was read and was adopted.

Senator Latimer, by unanimous consent, presented the students and Mr. Woods and Mrs. Haynes to the Members of the Senate.

**Senate Resolution 308**

Senator Moffett offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Mr. W. W. Bragg, prominent businessman of Chillicothe, Texas; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the privileges of the floor for the day, and the official welcome of the Senate.

The resolution was read and was adopted.

**Senate Bill 116 on Second Reading**

Senator Aikin asked unanimous consent to suspend the regular order of business and take up S. B. No. 116 for consideration at this time.

There was objection.

Senator Aikin then moved to suspend the regular order of business and take up S. B. No. 116 for consideration at this time.

The motion prevailed by the following vote:

Yeas—20

Aikin	Moffett
Bracewell	Owen
Colson	Ratliff
Corbin	Rogers
Fuller	of Childress
Hazlewood	Secrest
Kazen	Shireman
Kelley	Strauss
Lane	Wagonseller
Latimer	Willis
McDonald	

Nays—10

Ashley	Moore
Fly	Parkhouse
Hardeman	Phillips
Lock	Roberts
Martin	Rogers of Travis

Absent—Excused

Weinert

The President laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 116, A bill to be entitled "An Act fixing the maximum rate of tax to be levied for maintenance purposes in school districts in Texas to the amount not to exceed One Dollar and Fifty Cents (\$1.50) on the One Hundred Dollars (\$100.00) property valuation; providing for a vote of the people before such tax may be levied; providing for the issuance of bonds for the purchase, construction, repair, or equipment of public free schools not to exceed ten per cent (10%) of the total tax valuation of the district; and providing that said districts may levy ad valorem taxes in an amount sufficient to pay the interest on and principal of all bonds heretofore issued or hereafter voted but unissued, or hereafter issued for such purpose; providing for a vote of the people before such bonds may be issued or such tax rates levied; repealing Senate Bill No. 373, Acts, 1947, 50th Legislature, Chapter 314, page 534 (Article 2784e); and repealing all laws and parts of laws in conflict in so far as they are in conflict; and declaring an emergency."

The bill was read second time.

Senator Aikin offered the following committee amendment to the bill:

Amend S. B. No. 116, Item 2, Section 1, by striking out, after the word "bonds" on line —, the words "heretofore issued, or heretofore voted but unissued, or hereafter . . ."

The committee amendment was adopted.

Senator Aikin offered the following committee amendment to the bill:

Amend S. B. 116, by adding after the word "voters" in Sections 1 and 3 the following words: "who own property appearing on the rendered rolls of the county."

The committee amendment was adopted.

(Senator Kelley in the Chair.)

Senator Lock offered the following amendment to the bill:

Amend Senate Bill No. 116 by striking out Subsections 1 and 2 of Section 1 and inserting in lieu thereof the following:

"1. In common and independent school districts, rural high school districts, and cities and towns constituting independent school districts, for the further maintenance of public free schools, an annual ad valorem tax may be levied as follows: a school district which is levying a bond retirement tax of Fifty Cents (50¢) or more as authorized by Subsection (2) of this Act may levy an annual ad valorem tax not to exceed One Dollar (\$1.00) on the One Hundred Dollars (\$100.00) assessed value of taxable property in the district; a school district which is levying a bond retirement tax of less than Fifty Cents (50¢) as authorized by Subsection (2) of this Act may levy an annual ad valorem tax on the One Hundred Dollars (\$100.00) assessed value of the taxable property in the district in the amount of One Dollar (\$1.00) plus the difference between One Dollar and Fifty Cents (\$1.50) and the amount of said bond retirement tax being levied as authorized in Subsection (2) of this Act; or such rate not exceeding said amounts as may be fixed from time to time after this Act becomes effective by a majority of the resident, qualified taxpaying voters of the district, voting in an election or elections held for such purpose.

"2. In common school and independent districts, rural high school dis-

tricts, and all other school districts, for the purchase, construction, repair or equipment of public free school buildings, and the purchase of necessary sites therefor, said districts may issue bonds and may levy ad valorem taxes in an amount sufficient to pay the interest on and principal of all bonds heretofore issued, or heretofore voted but unissued, or hereafter issued for such purpose, provided that bonds shall never be issued by any district in an amount which would exceed ten per cent (10%) of the assessed value of taxable property in such school district, according to the then last completed and approved tax rolls of such district except that a district may issue bonds in a total amount that can be serviced by a Seventy-five Cent (75¢) bond rate even though such total bonded indebtedness may exceed ten per cent (10%) of the valuation of the district."

On motion of Senator Aikin the amendment was tabled by the following vote:

Yeas—20

Aikin	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Roberts
Fuller	Rogers
Hazlewood	of Childress
Kazen	Secrest
Kelley	Strauss
Latimer	Wagonseller
McDonald	Willis
Moffett	

Nays—10

Ashley	Martin
Fly	Phillips
Hardeman	Ratliff
Lane	Rogers of Travis
Lock	Shireman

Absent—Excused

Weinert

(President in the Chair.)

Senator Hardeman offered the following amendment to the bill:

Amend S. B. No. 116, Sec. 1, subdivision 2, by changing the period at the end thereof to a semicolon and add the following:

"provided, however, that in common school and independent districts, rural high school districts, and all other school districts which may issue bonds and levy ad valorem taxes in an

amount sufficient to pay the interest on and principal of all bonds heretofore issued or heretofore voted but unused or hereafter issued for such purpose shall not be eligible to accept nor shall such districts accept any grants-in-aid from the Federal government for the purchase, construction, repair or equipment of public free school buildings and the purchase of necessary sites therefor, except where such Federal aid is granted upon an application made by the school district based upon hardship due to an increase in scholastic population by reason of location of defense plants or military installations."

The amendment was adopted.

Senator Bracewell offered the following amendment to the bill:

Amend S. B. No. 116 by adding after the word "district" on line 40 and line 58 of the printed bill the following words:

"who own property appearing on the rendered rolls of the county."

The amendment was adopted.

On motion of Senator Aikin and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to engrossment.

#### Record of Vote

Senator Parkhouse asked to be recorded as voting "Nay" on the passage of S. B. No. 116 to engrossment.

#### Senate Bill 116 on Third Reading

Senator Aikin moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 116 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Kelley
Ashley	Lane
Bracewell	Latimer
Colson	McDonald
Corbin	Moffett
Fly	Moore
Fuller	Owen
Hardeman	Parkhouse
Hazlewood	Ratliff
Kazen	Roberts

Rogers	Strauss
of Childress	Wagon seller
Secrest	Willis
Shireman	

#### Nays—4

Lock	Phillips
Martin	Rogers of Travis

#### Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—25

Aikin	McDonald
Ashley	Moffett
Bracewell	Moore
Colson	Owen
Corbin	Ratliff
Fly	Roberts
Fuller	Rogers
Hardeman	of Childress
Hazlewood	Secrest
Kazen	Shireman
Kelley	Strauss
Lane	Wagon seller
Latimer	Willis

#### Nays—5

Lock	Parkhouse
Martin	Rogers of Travis
Phillips	

#### Absent—Excused

Weinert

#### Nominations of the Governor Committee Meeting

On motion of Senator Aikin and by unanimous consent a meeting of the Committee on Nominations of the Governor was held.

#### Bills Ordered Not Printed

On motion of Senator Kelley, and by unanimous consent, H. B. Nos. 881, 880, and 929 were ordered not printed.

On motion of Senator Willis, and by unanimous consent, H. B. No. 375 was ordered not printed.

On motion of Senator Ratliff, and by unanimous consent, H. B. No. 891 was ordered not printed.

**Senate Bill 73 on Second Reading**

The President laid out as pending business S. B. No. 73 on its passage to engrossment (the bill having been read second time on Monday, May 2, 1955).

Question—Shall S. B. No. 73 be passed to engrossment?

**House Bill on First Reading**

The following bill received from the House today was read first time and was referred to the committee indicated:

H. B. No. 687, To the Committee on Water Rights, Irrigation and Drainage.

**Recess**

On motion of Senator Kazen, the Senate, at 12:33 o'clock p. m., took recess until 1:45 o'clock p. m. today.

**After Recess**

The President called the Senate to order at 1:45 o'clock p. m. today.

**Message from the House**

Hall of the House of Representatives,  
Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. J. R. No. 33, Authorizing the Legislature to make appropriations from the general fund for the purpose of securing bonds hereafter issued by municipal corporations or political subdivisions of the State, to the extent of one-third of such bonded indebtedness, for beneficial uses of the water resources of the State under certain conditions.

(With engrossed riders.)

H. B. No. 938, Local Road law for Dallas County, with reference to the amount to be collected by the Tax Collector of Dallas County from the owners of Trucks, Trailers, Semi-trailers, Motor Buses, and Street or Suburban Buses.

H. C. R. No. 108, Granting Franklin V. Keith permission to sue the State of Texas and the Texas Highway Commission.

H. B. No. 63, A bill to be entitled "An Act amending Chapter 352, General Laws, Regular Session, 53rd Legislature, 1953, so as to declare as abandoned all certified filings heretofore filed with and permits heretofore issued by the Board of Water Engineers and permits hereafter issued by the Texas Water Commission, which certified filings and permits authorize the appropriation of public waters, when no part of the waters authorized to be appropriated has ever been put to beneficial use at any time during a ten-year period preceding the effective date of this Act or the date of cancellation proceedings authorized hereby; requiring the Texas Water Commission to cancel such certified filings and permits when found to have been abandoned; requiring public hearings before cancellation and forfeiture; providing for notice before hearing and an opportunity to the holder to present evidence that water has been beneficially used under the certified filing or permit during such ten-year period; declaring that failure to cancel shall not validate or enhance a certified filing or permit; defining a certified filing; providing for appeals from orders of cancellation; repealing all conflicting laws; providing a savings clause; and declaring an emergency."

H. J. R. No. 44, Providing for the establishment of the State Scholarship Fund, from which grants, loans or scholarships may be made to needy students.

H. B. No. 604, A bill to be entitled "An Act defining the right of illegitimate children to support by the father and to inherit from the father under certain conditions; providing for legitimization of illegitimate children; specifying the contingency upon which Section 1 of this Act shall become effective; providing for severability; and declaring an emergency."

H. B. No. 62, A bill to be entitled "An Act concerning the incorporation of cities, towns and villages; requiring approval of the governing bodies of incorporated cities, towns and villages within five miles thereof prior to incorporation of such proposed cities, towns and villages; amending Articles 1134 and 1136 of the Revised Civil Statutes of Texas, 1925; and declaring an emergency."

H. J. R. No. 35, To exempt certain persons from payment of poll taxes.

H. B. No. 215, A bill to be entitled

"An Act amending the anti-trust laws of the State of Texas by amending Article 7428, Revised Civil Statutes of Texas, 1925, as amended, by adding two new subdivisions providing that it shall constitute a conspiracy in restraint of trade where any person, firm, corporation, or association of persons shall sell, lease, or contract for the sale of goods, wares, merchandise, machinery, supplies, or other commodities, or fix a price charged therefor, or discount from, or rebate upon such price, on the condition, agreement, or understanding that the lessee or purchaser thereof shall not use or deal in the goods, wares, merchandise, machinery, supplies, or other commodities, of a competitor or competitors of the lessor or seller; or where any person, firm, corporation, or association of persons discontinues leasing, selling, or contracting for the sale of, goods, wares, merchandise, machinery, supplies, or other commodities to a lessee or purchaser thereof, or threatens to discontinue the leasing, selling, or contracting for the sale of goods, wares, merchandise, machinery, supplies, or other commodities to any lessee or purchaser, or terminates or threatens to terminate any legal relationship with such lessee or purchaser, because such lessee or purchaser has used, or dealt in, or proposes to use or deal in, the goods, wares, merchandise, machinery, supplies, or other commodities of a competitor or competitors of the lessor or seller; provided, however, that this subdivision of this Article shall not apply to goods, wares, merchandise, machinery, supplies or other commodities, which are marketed by such lessee or purchaser through or by vending or dispensing equipment in which such lessor or seller owns an interest; and provided that it shall constitute a conspiracy in restraint of trade where any person, firm, corporation, or association of persons discontinues leasing, selling, or contracting for the sale of, goods wares, merchandise, machinery, supplies, or other commodities to any lessee or purchaser; etc.; and declaring an emergency."

H. B. No. 395, A bill to be entitled "An Act defining a geological or geophysical map; defining theft of a geological or geophysical map; prescribing what constitutes the taking of a geological or geophysical map; making it a felony to commit the

crime of theft of a geological or geophysical map; making it a felony to receive, possess, reproduce, conceal, barter, sell, dispose of or transport a geological or geophysical map knowing the same to have been so acquired; prescribing a penalty; providing that this act shall be cumulative of all laws of the state and any violation hereof may be prosecuted irrespective of whether or not the acts complained of may constitute some of the essential elements of other or different offenses against the penal laws of this state; providing a saving clause; and declaring an emergency."

H. B. No. 500, A bill to be entitled "An Act amending Section 41 of Article I of Chapter 467 of the Acts of the 44th Legislature, Second Called Session, 1935, as amended by Section 39 of Chapter 448 of the Acts of the 45th Legislature, Regular Session, 1937, as amended by Section 8 of Chapter 325 of the Acts of the 48th Legislature, Regular Session, 1943, and being Article 666-41 of Vernon's Penal Code, to make second and subsequent convictions of the Liquor Control Act a felony; to prescribe a penalty; and declaring an emergency."

House appointed the following Conference Committees:

H. J. R. 15, Smith of Hays, Johnson, Glusing, Jamison and Dewey;

S. B. 39, Murry, Yancy, Sanders, Brashear and Strickland;

S. J. R. 1, Saul, Banks, Wood, Burkett and Ellis.

The House has concurred in Senate amendments to House Bill No. 466 by a viva voce vote.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives.

#### House Bill on First Reading

The following bill received from the House was read first time and referred to the committee indicated:

H. B. No. 938, To the Committee on Counties and County Boundaries.

#### Reports of Standing Committees

Senator Kelley, by unanimous consent, submitted the following reports:

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred H. B. No. 687, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KELLEY, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred H. B. No. 676, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KELLEY, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred H. B. No. 610, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KELLEY, Chairman.

Senator Shireman, by unanimous consent, submitted the following reports:

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 927, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, with amendments, and be not printed.

SHIREMAN, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H.

B. No. 378, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SHIREMAN, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 457, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SHIREMAN, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 876 have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SHIREMAN, Chairman.

Senator Fly, by unanimous consent, submitted the following report:

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 938, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FLY, Chairman.

### Bills Signed

The President signed in the presence of the Senate, after the captions had been read, the following enrolled bills subject to the provisions of Section 49A of Article III of the State Constitution:

S. B. No. 273, A bill to be entitled "An Act abolishing the Special Ninth Judicial District Court of Texas, composed of Montgomery, Polk, San Jacinto and Trinity Counties; providing for the creation of a permanent

Judicial District Court to be known as the Second Ninth Judicial District Court of Texas, composed of Montgomery, Polk, San Jacinto and Trinity Counties; providing for the time and terms of holding Court in Montgomery, Polk, San Jacinto and Trinity Counties; providing for the appointment of a District Judge of the Second Ninth Judicial District Court by the Governor on the effective date of this Act who shall hold office until the next general election or until his successor shall be duly elected and qualified; and providing for his compensation and making necessary appropriations; providing for the appointment of an official Court reporter of the newly created district and providing for his compensation; providing that the District Attorney of the Ninth Judicial District shall act as District Attorney of the Second Ninth Judicial District in the Counties of Montgomery, Polk and San Jacinto; providing that the District Attorney of the Twelfth Judicial District shall also act as District Attorney for the Second Ninth Judicial District in Trinity County; providing that the District Clerks of Montgomery, Polk, San Jacinto and Trinity Counties shall also act as District Clerks for the Second Ninth Judicial District in their respective counties; etc.; and declaring an emergency."

S. B. No. 104, A bill to be entitled "An Act appropriating the sum of One Thousand Eighty-six Dollars and Fifty Cents (\$1086.50) together with the pro rata interest earned thereon out of the general fund of the State of Texas, or so much as may be necessary to satisfy the judgment rendered against the State of Texas, in favor of Home Furniture Company, a corporation, in cause Number 84447 in the District Court of Travis County, Texas, 53rd Judicial District, such judgment having become a final judgment, and declaring an emergency."

#### Message From the Governor

The President laid before the Senate and directed the Reading Clerk to read the following message received from the Governor:

Austin, Texas,  
May 2, 1955.

To the Members of the Fifty-fourth Legislature.

Complying with the request contained in House Concurrent Resolution No. 127, I am returning herewith House Bill No. 861.

Respectfully submitted,

CRAWFORD C. MARTIN,  
Acting Governor.

#### House Concurrent Resolution 134 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 134, Enrolling Clerk to make certain corrections in H. B. No. 377.

The resolution was read the second time and was adopted.

#### Presentation of Guests

Senator Hardeman by unanimous consent presented Mr. Mark Callaway of Brownwood and Mr. Forrest Kyle of Bangs to the Members of the Senate.

#### Bills and Resolutions Signed

The President signed in the presence of the Senate, after the captions had been read, the following enrolled bills and resolutions:

S. B. No. 384, A bill to be entitled "An Act creating a Conservation District under Article XVI, Section 59, of the Constitution, comprising certain territory lying within the Counties of Guadalupe, Hays and Comal, Texas, for the purpose of flood control, and preservation of land and soil and the fertility thereof, and to construct, acquire, improve, carry out, maintain, repair and operate dams, structures, projects and works of improvement for flood prevention, etc., and declaring an emergency."

S. B. No. 236, A bill to be entitled "An Act making the 151st and the 152nd District Courts created by the provisions of Senate Bill 50, Acts of the 53rd Legislature, First Called Session, 1954, Chapter 56, composed of Harris County, permanent district courts; describing the jurisdiction and terms of said Courts; providing for the appointment, election and compensation of the judges of said Courts; amending Senate Bill 50, Acts of the



53rd Legislature, First Called Session, 1954, Chapter 56; providing a repealing clause; providing a severability clause; and declaring an emergency."

S. B. No. 127, A bill to be entitled "An Act establishing as a permanent District Court the Special Criminal District Court of Dallas County, etc.; and declaring an emergency."

S. B. No. 16, A bill to be entitled "An Act to define and regulate the business of representing Legal Reserve Life Insurance Companies as agent; to provide for the licensing of agents for such insurers; to provide minimum standards and qualifications as conditions precedent to issuance of licenses; to provide for the examination of applicants for said licenses; to provide for the renewal of existing licenses without examination; to fix examination and other fees; to authorize regulations for the administration of this Act; to provide penalties for violation of this Act; to repeal all laws or parts of laws inconsistent with this Act; to provide for partial invalidity; and declaring an emergency."

S. B. No. 271, A bill to be entitled "An Act amending Section 20 of Article 8306, Revised Civil Statutes of Texas, 1925, which defines occupational diseases under the Workmen's Compensation Law, so as to add the disease of psittacosis; and declaring an emergency."

S. B. No. 321, A bill to be entitled "An Act amending Senate Bill No. 354, Chapter 325, Acts of the 52nd Legislature, Regular Session, 1951, being Article 5382d of Vernon's Texas Civil Statutes, by adding a new section authorizing the appropriate Boards for Lease of lands owned by the State to grant easements for irrigation canals, laterals, flumes and ditches, and telephone, telegraph, electric power and pipe lines; and declaring an emergency."

S. B. No. 297, A bill to be entitled "An Act authorizing counties on the coast of the Gulf of Mexico having islands within their boundaries susceptible of development for recreational purposes to issue bonds for the construction of roads on such islands secured by a pledge of tolls to be charged for the use thereof and further by the levy of a tax; etc.; and declaring an emergency."

S. B. No. 358, A bill to be entitled

"An Act amending the Texas Banking Code of 1943 so as to authorize state banks or trust companies to sell mortgages to the Federal National Mortgage Association, or any successor thereof; providing that such institutions may make capital contributions, and receive stock therefor, in connection with such sales, as may be required by law; repealing conflicting laws; and declaring an emergency."

S. B. No. 371, A bill to be entitled "An Act creating an additional District Court in Tarrant County, Texas, to be known as the District Court for the 153rd Judicial District; etc.; and declaring an emergency."

S. B. No. 343, A bill to be entitled "An Act amending Section 17 of Chapter 105, Acts of the 47th Legislature, 1941, relating to accumulation, investment, and disbursement of reserve retirement funds of pension systems for policemen, firemen and fire alarm operators in cities of 350,000 to 430,000 inhabitants; and declaring an emergency."

S. B. No. 294, A bill to be entitled "An Act relating to the form of the ballot and the manner of voting at certain stock law elections; amending Articles 6935 and 6937 of the Revised Civil Statutes of Texas, 1925; and declaring an emergency."

S. B. No. 118, A bill to be entitled "An Act authorizing the formation of private corporations to provide for the mutual protection of members of voluntary non-profit poultry associations and to promote the welfare of the poultry industry; providing the amount of fee to be paid by such corporation for filing each charter, amendment or supplement; exempting such corporations from payment of franchise tax; and declaring an emergency."

S. B. No. 595, A bill to be entitled "An Act establishing as permanent District Courts, the Special 37th District Court and the Special Criminal District Court of Bexar County; etc.; and declaring an emergency."

S. B. No. 336, A bill to be entitled "An Act amending Subsection 4 of Article 6602, Revised Civil Statutes of Texas, 1925, as amended, so as to authorize acknowledgments by spouse of members of the Armed Forces of the United States and Auxiliaries thereto before Commissioned Officers

in the Armed Forces of the United States or in the Auxiliaries; etc.; and declaring an emergency."

S. B. No. 304, A bill to be entitled "An Act applying to certain navigation districts; authorizing the deposits of district revenues (as therein defined) in banking corporations; etc.; and declaring an emergency."

S. B. No. 318, A bill to be entitled "An Act creating an additional District Court in Jefferson County, Texas, to be known as the District Court for the 136th Judicial District; etc.; and declaring an emergency."

S. B. No. 259, A bill to be entitled "An Act providing for the transfer of title to certain lands to the State Highway Commission containing 20.52 acres of land, more or less, and being a part and parcel of the present campus of the North Texas State College at Denton, Texas, necessary for the relocation and improvement of U. S. Highway No. 77 from the West line of Avenue 'D' to the East line of Avenue 'I' in, and adjacent to, the City of Denton, Texas; repealing Chapter 182, local and special laws of the 51st Legislature, Regular Session, 1949 (North Texas State College transfer of lands to the Texas State Highway Commission); and declaring an emergency."

S. B. No. 261, A bill to be entitled "An Act providing for the minimum compensation of firemen and policemen in cities of 400,000 to 420,000 inhabitants; providing a penalty for violation of the provisions of this Act; repealing conflicting laws; providing for severability; and declaring an emergency."

S. B. No. 342, A bill to be entitled "An Act amending Article II of Chapter 51, Acts of the 53rd Legislature, First Called Session, 1954, by adding a new section extending the duration of the Special 37th District Court and the Special Criminal District Court of Bexar County, making an appropriation for payment of salaries of the Judges of these courts for the next biennium ending August 31, 1958; and declaring an emergency."

S. B. No. 173, A bill to be entitled "An Act creating the 142nd District Court for Midland County, prescribing the jurisdiction in terms of such Court, providing for the appointment, election and compensation of the Judge of said Court, making the Spe-

cial District Court of Midland County a permanent District Court to be known as the 142nd District Court, amending Senate Bill 49, Acts of the 53rd Legislature, First Called Session, 1954, Chapter 55; providing a repealing clause; providing a severability clause; and declaring an emergency."

S. E. No. 335, A bill to be entitled "An Act amending Article 5366, Revised Civil Statutes, 1925; providing that development and operations upon areas included in Article 5353, Revised Civil Statutes, 1925, shall be done in such manner as to prevent pollution of water, destruction of fish, oysters and other marine life and obstruction of navigation, providing that the Commissioner of the General Land Office shall promulgate and enforce the necessary rules and regulations; and declaring an emergency."

S. B. No. 339, A bill to be entitled "An Act amending Chapter 243, passed at the Regular Session of the 53rd Legislature in 1953, providing that any contract between the United States Government, or any agency thereof, and the Authority for the construction, operation and maintenance of any facility shall provide that upon repayment of all amounts due thereunder title to all such facilities shall pass to the Authority or vest the Authority with absolute control over the release and use of any waters stored in such facilities; provided that upon the Authority's determination to undertake a plan of financing involving obligations to be supported wholly or partially by revenues to be derived from contracts with member cities, any such city refusing to submit such contract to an election or failing to adopt such contract at an election shall be eliminated from the Authority; repealing all laws or parts thereof in conflict; and declaring an emergency."

S. B. No. 382, A bill to be entitled "An Act making permanent the additional District Court in and for Gonzales, Colorado, Lavaca, and Guadalupe Counties existing by virtue of Acts 1954, Fifty-third Legislature, First Called Session, Chapter 54, p. 118; providing that such court shall be known as the Second 25th Judicial District Court; providing for a clerk; fixing the terms of said court; providing for the transfer of cases; providing for a District Judge; providing for appointment of a court re-

porter; providing that such court shall not be subject to the jury wheel in the selection of jurors; repealing laws in conflict; providing a severability clause; and declaring an emergency."

S. B. No. 390, A bill to be entitled "An Act to authorize and empower navigation districts heretofore or hereafter organized to provide for and administer a retirement, disability and death compensation fund for officers and employees of the district; providing for the investment, reinvestment and change of investment of such funds; authorizing the Commissioners of said district to adopt a plan or plans for effectuating the purpose of this Act, to provide rules and regulations governing all such compensation and from time to time to change any such plan, rule or regulation; and providing that the recipients of benefits of such fund shall not be eligible for any other pension retirement fund or direct aid from the State of Texas, unless the fund created hereunder is released to the State as a condition precedent to receiving such other aid; providing for such navigation districts to include hospitalization and medical benefits to their officers and employees as part of the compensation currently paid to such officers and employees; making the Act cumulative of other laws on the subject; providing that unconstitutionality of any part of the Act shall not invalidate the remainder; and declaring an emergency."

S. B. No. 392, A bill to be entitled "An Act making permanent the Special 138th District Court and the Special 139th District Court created by Chapter 57, Acts of the 53rd Legislature, First Called Session, such permanent courts to be known as the 138th District Court and the 139th District Court; repealing Section 3 of Article III and amending Articles I and II and portions of Article III of Chapter 57, Acts of the 53rd Legislature, First Called Session, 1954, to accomplish the above change; providing for the selection and tenure of the judges of these permanent district courts and for payment of their salaries and expenses; providing for severability; and declaring an emergency."

S. B. No. 405, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads

and highways in Ellis County by indebtedness for the purpose of acquiring right-of-way for designated State highways or Federal highways when the acquisition of such right-of-way is approved by the State Highway Commission; requiring the levy of a tax to pay such certificates; requiring such certificates to be approved by the Attorney General and registered by the Comptroller of Public Accounts and prescribing the effect thereof; enacting other provisions relating to the subject; and declaring an emergency."

S. B. No. 231, A bill to be entitled "An Act amending House Bill No. 406, Acts of the Fifty-second Legislature, 1951, Chapter 181 (Vernon's Annotated Civil Statutes, Article 7336f), to provide that the fee to be paid for compiling, recompiling or supplementing the delinquent tax record shall not exceed Ten Cents (10¢) per item or written line; repealing all laws or parts of laws in conflict herewith; making the Act cumulative of Chapter 10, Title 122, Revised Civil Statutes of Texas, 1925; providing a saving clause; and declaring an emergency."

S. B. No. 215, A bill to be entitled "An Act regulating the use of nets, seines, snag lines, traps and other devices in the fresh waters of Rockwall County, Texas; providing for prima facie evidence; prescribing the penalty for violation; repealing conflicting laws; and declaring an emergency."

S. B. No. 258, A bill to be entitled "An Act authorizing and empowering the Board of Directors of the Texas Agricultural and Mechanical College System to execute leases and grant easements for rights-of-way for electric and pipe lines, irrigation canals and laterals, electric substations, pumping stations, loading racks, tank farms and other structures and for highways and roadways on or across any lands under the control of the Board of Directors of the Texas Agricultural and Mechanical College System; stipulating that the form of the easements shall be approved by the Attorney General; providing for the payment of a fee in certain instances; stipulating the period of time for which an easement may be granted; providing for the accounting for and use of monies, if any, received for the payment of

fees; prescribing the penalty for failure to obtain a proper easement; and declaring an emergency."

S. B. No. 253, A bill to be entitled "An Act to authorize Commissioners Courts to acquire land for and to purchase, construct, repair, equip and improve buildings and other permanent improvements to be used for county library purposes, providing for the location and payment therefor; authorizing the issuance of negotiable bonds for such purpose and the levy and collection of taxes in payment thereof; and declaring an emergency."

S. B. No. 251, A bill to be entitled "An Act amending Chapter 331 of the Acts of the 52nd Legislature, 1951, being Article 2919d of Vernon's Texas Civil Statutes, by adding a new Section 5a to approve admission of West Virginia and Delaware to membership in the Southern Regional Education Compact on certain conditions; and declaring an emergency."

S. B. No. 242, A bill to be entitled "An Act amending Subsections 58, 60, of Article 199, Revised Civil Statutes of Texas, 1925, as amended by Chapter 84, Acts 1929, 41st Legislature, Second Called Session, providing that the 58th Judicial District Court and the 60th Judicial Court of Jefferson County, Texas, may sit at Port Arthur, Texas, etc., and declaring an emergency."

S. B. No. 243, A bill to be entitled "An Act amending Subsection 160a of Article 52, Code of Criminal Procedure of Texas, Revised Civil Statutes, 1925, as amended, providing that the Criminal District Court of Jefferson County, Texas, may sit at Port Arthur, Texas, for the trying, hearing, and determination of certain non-jury civil cases and matters; etc.; and declaring an emergency."

S. B. No. 83, A bill to be entitled "An Act creating, as a temporary court, an additional district court for Lubbock County to be known as the District Court of the 140th Judicial District, etc.; and declaring an emergency."

S. B. No. 400, A bill to be entitled "An Act validating Orange County Water Control and Improvement District No. 3; validating the creation order, confirming election, bond elec-

tion, and proceedings in connection therewith; validating the bonds authorized at said election, and providing that said bonds when approved by the Attorney General, registered by the Comptroller, and delivered to the purchaser or purchasers shall be incontestable; validating governmental proceedings and acts; validating the area and boundary lines of said District; finding and determining that the lands and other property within said District are, and will be, benefited by the District and its improvements and facilities to be constructed and acquired; providing that the ad valorem basis or plan of taxation shall be used by the District and that it shall not be necessary to hold a hearing on the adoption of a plan of taxation; declaring that the District is essential to the accomplishment of the purpose of Section 59, Article 16, Constitution of Texas, and declaring the District to be a governmental agency, body politic, and municipal corporation; providing that this Act shall have no application to pending litigation in which the validity of creation of said District or of said bonds is involved if such litigation is ultimately determined against the legality thereof; providing a severability clause; and declaring an emergency."

S. B. No. 381, A bill to be entitled "An Act to authorize and provide a method for the Commissioner of the General Land Office to lease to the Houston Yacht Club certain submerged lands in Galveston Bay adjacent to certain tract of land conveyed to San Jacinto Bay Corporation, in deed recorded in Vol. 697, page 460, Deed Records of Harris County, and prescribing the terms and conditions of said lease; prohibiting alienation except for the purpose of encumbering same to the Federal Government or other agency or agencies thereof; reserving the mineral to the State of Texas; providing said lease shall be issued subject to the State Game Laws and public rights of fishing and navigation; providing for forfeiture and reinstatement in certain cases; providing that nothing in this Act shall lessen the rights of adjoining property owner or owners as such rights exist under the law prior to the passage of this Act; providing for taxation of such property; and declaring an emergency."

S. B. No. 269, A bill to be entitled

"An Act to confirm and validate all deeds of acquittance issued on lands lying across or partly across watercourses or navigable streams or the beds or abandoned beds thereof, or parts thereof, and to relinquish, quitclaim and grant to grantees and their assignees all of such lands, and minerals therein contained, across watercourses or navigable streams and also the beds or abandoned beds thereof, and minerals therein contained, where such deeds of acquittance have been issued and outstanding for a period of ten years from the date thereof and have not been cancelled or forfeited, etc.; and declaring an emergency."

S. B. No. 387, A bill to be entitled "An Act providing for the appointment of juvenile probation officers in counties having a population of more than five hundred thousand (500,000) inhabitants, according to the last preceding, or any future Federal Census; providing for a salary for such juvenile probation officers and the manner of payment thereof; providing for the appointment of assistant juvenile probation officers and other employees; providing for salaries for such assistant juvenile probation officers and other employees and the manner of payment thereof; providing for necessary transportation or car allowance for the use of such juvenile probation officer and his assistants; providing for payments in wife and child desertion cases to be paid to the juvenile probation officer or District Clerk; providing for the making of bond by juvenile probation officers; providing for audit by the County Auditor of the books and records of the juvenile probation officer; providing a savings clause; providing for repeal of conflicting laws only; making January 1, 1956, the operative date of this Act; and declaring an emergency."

S. B. No. 369, A bill to be entitled "An Act amending Paragraph (4) of Section 1, Article 3.50, subchapter E of Senate Bill No. 236, Chapter 491, Acts of the Fifty-second Legislature, Regular Session, 1951, pertaining to group life insurance, to allow the insurance of the face amount of a loan or loan commitment made to a debtor with seasonal income for general agricultural or horticultural purposes; providing for the payment of such insurance; and declaring an emergency."

S. B. No. 260, A bill to be entitled "An Act relating to compensation of commissioners of drainage districts; amending Article 8120, Revised Civil Statutes of Texas, 1925, as amended, so as to change the population figure in the provision relating to additional compensation and automobile expense from 200,000 to 30,000; providing that this Act shall be cumulative of other laws; and declaring an emergency."

S. B. No. 293, A bill to be entitled "An Act authorizing certain cities to issue refunding bonds due serially and bearing interest as provided in this act for the purpose of refunding outstanding bonds which do not mature in annual installments; providing that, in lieu of exchanging such refunding bonds, they may be sold and the proceeds deposited in the bank where the outstanding bonds are payable; providing that when such serial refunding bonds are approved by the Attorney General of Texas and registered by the Comptroller of Public Accounts they shall be incontestable and shall constitute valid and binding obligations of such city; providing that no city charter provision relating to the terms, issuance, sale and delivery of bonds shall be applicable to bonds issued under this law; enacting other provisions relating to the subject; and declaring an emergency."

S. B. No. 274, A bill to be entitled "An Act to amend Chapter III of the Texas Banking Code of 1943, Chapter 97, Acts of the 48th Legislature, Regular Session, 1943, said Chapter III codified as Articles 342-301 to 342-313, Vernon's Texas Civil Statutes, by adding a new Article to provide a method whereby a national bank may convert into a state bank; and declaring an emergency."

S. B. No. 353, A bill to be entitled "An Act restoring to the County Court of Hill County original jurisdiction in matters of eminent domain; transferring from the District Court in Hill County to the County Court in Hill County, original jurisdiction in matters of eminent domain; making other provisions relating to such transfer; providing a severability clause; and declaring an emergency."

S. B. No. 367, A bill to be entitled "An Act providing that the Texas Prison Board may exchange state-owned lands comprising the outer edge of Ramsey State Prison Farm for privately owned lands within Ramsey

Prison Farm; and declaring an emergency."

S. B. No. 67, A bill to be entitled "An Act amending Sec. 12a of Ch. 330, H. B. 141, Acts 53rd Leg., R. S., p. 819, so as to provide that during the 24 year period mentioned in Sec. 2 of Ch. 330, the Legislature shall make no appropriation out of State funds for acquiring or constructing buildings or other permanent improvements at educational institutions covered by Ch. 330, except in certain instances; and declaring an emergency."

S. B. No. 38, A bill to be entitled "An Act validating, ratifying and confirming proceedings heretofore had by incorporated cities, towns and villages in the issuance of bonds and pledging the revenues of any one or combination of the following systems and sources: water, sewer, electric or gas systems, and the revenues of parking meters, auditoriums and swimming pools, for the payment of the bonds and interest thereon, providing that this Act shall not apply in certain instances; and declaring an emergency."

S. B. No. 202, A bill to be entitled "An Act amending Article 8274, Revised Civil Statutes of Texas, 1925, same being Acts 1866, pages 14, 15; General Laws, Volume 5, page 932; Acts 1879, page 99; General Laws, Volume 8, page 1399, relating to the rate of pilotage, which may be fixed under Articles 8267 and 8269, on any class of vessels in any port of this State except in the Port of Galveston, for each foot of water which the vessel at the time of piloting draws; and declaring an emergency."

S. B. No. 268, A bill to be entitled "An Act amending Chapter 465, Acts of the Fifty-first Legislature (being the law creating Eastland County Water Supply District), as amended by Chapter 384, Acts of the Fifty-third Legislature, by making certain changes with reference to the election of directors; by expressly authorizing the district to sell any real or personal property not needed by it; and by correcting a typographical error in Section 6 of said law; and declaring an emergency."

S. B. No. 361, A bill to be entitled "An Act creating Jefferson County Water Control and Improvement District No. 10; a Conservation and Reclamation District as authorized by Section 59 of Article XVI of the Texas Constitution; constituting such dis-

trict a political subdivision of the State and a body politic and corporate; prescribing the District's powers and providing that same shall include all powers and authority granted to water control and improvement districts under the general laws of the State pertaining thereto except as otherwise provided for in this Act; and declaring an emergency."

S. B. No. 179, A bill to be entitled "An Act amending Section 1 of Senate Bill No. 442, Chapter 337, Acts of the 52nd Legislature, Regular Session, so as to provide that the Tax Assessor-Collector of each rural high school district in counties having a population of three hundred fifty thousand (350,000) or more inhabitants according to the last preceding federal census, and each county line rural high school district which is subject to the jurisdiction of a county, having a population of three hundred fifty thousand (350,000) or more inhabitants according to the last preceding federal census, shall give a bond, executed by a surety company authorized to do business in this State, in such amount as the Board of Trustees of any such rural high school district determines will be sufficient to adequately protect the funds of such district; providing for the approval of such bond; and declaring an emergency."

S. C. R. No. 16, Granting Eddie L. Sheppard and wife permission to sue the State of Texas.

S. C. R. No. 51, In memory of Miss Adina de Zavala.

S. C. R. No. 28, Providing for continued study of the records and history of the State of Texas.

#### Senate Concurrent Resolution 54

Senator Wagonseller offered the following resolution:

S. C. R. No. 54, Suspending Joint Rules to consider S. B. No. 263 at any time.

Resolved, by the Senate of the State of Texas, the House of Representatives concurring, That the Joint Rules be and the same are hereby suspended to permit consideration by the House of Representatives of Senate Bill No. 263 at any time.

BRACEWELL  
WAGONSELLER

The resolution was read.

On motion of Senator Wagonseller, and by unanimous consent, the resolu-

tion was considered immediately and was adopted.

(Senator Hardeman in the Chair.)

#### Reports of Standing Committees

Senator Fly, by unanimous consent, submitted the following report:

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 924, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

FLY, Chairman.

Senator Colson by unanimous consent submitted the following reports:

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred H. B. No. 874, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLSON, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred H. B. No. 734, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLSON, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred H. B. No. 882, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLSON, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education to whom was referred S. B. No. 282, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLSON, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred S. B. No. 380, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLSON, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred S. B. No. 401, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLSON, Chairman.

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred S. B. No. 406, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLSON, Chairman.

#### Bills Ordered Not Printed

On motion of Senator Parkhouse and by unanimous consent H. B. No. 938 was ordered not printed.

On motion of Senator Aikin and by unanimous consent H. B. Nos. 924, 874, 910 and 882 and H. C. R. No. 78 were ordered not printed.

#### Senate Concurrent Resolution 55

Senator Shireman offered the following resolution:

S. C. R. No. 55, Recalling S. B. No. 154 from the Governor's Office.

Whereas, Senate Bill No. 154 has passed the Senate and the House and is now in the Governor's office; and

Whereas, It is necessary to correct said bill; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the Governor be and he is hereby requested to return said bill to the Senate; and that the Presiding Officers of the two Houses be and they are hereby authorized to remove their names from the enrolled bill so that the bill may be considered further.

The resolution was read.

On motion of Senator Shireman and by unanimous consent the resolution was considered immediately and was adopted.

#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 148, A bill to be entitled "An Act defining the duties of public officers in regard to the publication of statements and notices required or authorized by law; providing for forfeiture of salary and removal from office for violation thereof; and providing the procedure therefor; repealing Chapter 337, Acts 51st Legislature, Regular Session; declaring the provisions of the Act to be severable; and declaring an emergency."

(With engrossed riders.)

H. B. No. 571, A bill to be entitled "An Act constituting a local law for the maintenance of the Public Roads and Highways in Hale County by authorizing the county to issue certificates of indebtedness for the purpose of acquiring right of way for designated State Highways or Federal Highways when the acquisition of such right of way is approved by the State Highway Commission; requiring the levy of a tax to pay such certificates and the interest thereon; requiring said certificates to be approved by the Attorney General and registered by the Comptroller of Public Accounts and prescribing the ef-

fect thereof; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 685, A bill to be entitled "An Act to validate, upon certain terms and conditions, State Park Improvement Bonds heretofore authorized by the Texas State Parks Board and all covenants and agreements and all actions and proceedings in connection therewith; and providing the bonds to be incontestable; and declaring an emergency."

House has appointed the following conference committees: H. B. No. 368: Spilman, Cooper, Cory, Jamison, McDonald; H. B. 366: Spilman, Cooper, Cory, Jamison, McDonald.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Senate Bill 305 with House Amendments

Senator Moore called S. B. No. 305 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Moore moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Moore, Wagon seller, Corbin, Moffett and Latimer.

(President in the Chair.)

#### Senate Bill 73 on Second Reading

The Senate resumed the consideration of the pending business, same being S. B. No. 73 on its passage to engrossment.

Question—Shall S. B. No. 73 be passed to engrossment?

(Pending discussion by Senator Phillips of the bill, Senator Hardeman occupied the Chair.)

(President in the Chair.)



(Pending discussion by Senator Phillips of the bill, Senator Kazen occupied the Chair.)

(Senator Aikin in the Chair.)

(Pending further discussion by Senator Phillips of the bill, Senator Hardeman occupied the Chair.)

S. B. No. 73 was passed to engrossment.

### Motion to Place Senate Bill 73 on Third Reading

Senator Lock moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 73 be placed on its third reading and final passage.

The roll call was as follows:

#### Yeas—19

Aikin	Parkhouse
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Kazen	of Childress
Lane	Rogers of Travis
Latimer	Secrest
Lock	Shireman
Martin	Strauss
Owen	Wagonseller

#### Nays—1

Phillips

#### Absent

Ashley	Kelley
Bracewell	McDonald
Colson	Moffett
Corbin	Moore
Hazlewood	Willis

#### Absent—Excused

Weinert

The Presiding Officer (Senator Hardeman in the Chair) announced that there was not a quorum of the Senate present.

Senator Aikin moved a Call of the Senate for the purpose of securing and maintaining a quorum of the Senate until 12:00 o'clock M. and the call was duly seconded.

A Call of the Senate was ordered by the following vote:

#### Yeas—15

Aikin	Corbin
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Fly	Martin
Fuller	Parkhouse
Hardeman	Rogers of Travis
Kazen	Secrest
Lane	Shireman
Latimer	Strauss
Lock	

#### Nays—5

Owen	Rogers
Ratliff	of Childress
Roberts	Wagonseller

#### Absent

Ashley	McDonald
Bracewell	Moffett
Colson	Moore
Hazlewood	Phillips
Kelley	Willis

#### Absent—Excused

Weinert

The Presiding Officer directed the Reading Clerk to call the roll for the purpose of ascertaining the absentees. The roll was called and the following Senators were present:

Aikin	Owen
Fly	Parkhouse
Fuller	Ratliff
Hardeman	Roberts
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	

#### Absent

Ashley	Moffett
Bracewell	Moore
Colson	Phillips
Corbin	Rogers
Hazlewood	of Childress
McDonald	Willis

#### Absent—Excused

Weinert

Senator Aikin then moved that the Sergeant-at-Arms be instructed to bring in all the Members of the Senate who were in the city and not ill.

The motion prevailed and the Presiding Officer so instructed the Sergeant-at-Arms.

#### At Ease

The Presiding Officer at 7:25 o'clock p. m. announced that the Senate would stand At Ease for ten minutes.

**In Legislative Session**

The Presiding Officer (Senator Hardeman in the Chair) called the Senate to order as in Legislative Session at 8:35 o'clock p. m.

The roll was called and the following Senators were present:

Aikin	Owen
Colson	Parkhouse
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
Moffett	

**Absent**

Ashley	McDonald
Bracewell	Moore
Corbin	Phillips
Hazlewood	Willis

**Absent—Excused**

Weinert

The Presiding Officer announced a quorum of the Senate present.

**Senate Bill 73 on Third Reading**

Senator Lock moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 73 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—22**

Aikin	Owen
Colson	Parkhouse
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
Moffett	

**Absent**

Ashley	McDonald
Bracewell	Moore
Corbin	Phillips
Hazlewood	Willis

**Absent—Excused**

Weinert

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—22**

Aikin	Owen
Colson	Parkhouse
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
Moffett	

**Absent**

Ashley	McDonald
Bracewell	Moore
Corbin	Phillips
Hazlewood	Willis

**Absent—Excused**

Weinert

**Senate Bill 431 on First Reading**

Senator Martin, by unanimous consent, introduced the following local bill which was read the first time and referred to the committee indicated:

By Senator Martin:

S. B. No. 431, A bill to be entitled "An Act relating to the open season and bag and possession limits for squirrel in Johnson County; and declaring an emergency."

To the Committee on Game and Fish.

**Committee Substitute Senate Bill 155 on Second Reading**

Senator Fly asked unanimous consent to suspend the regular order of business and take up C. S. S. B. No. 155 for consideration at this time.

There was objection.

Senator Fly then moved to suspend the regular order of business and take up C. S. S. B. No. 155 for consideration at this time.

The motion prevailed by the following vote:

## Yeas—16

Aikin	Owen
Fly	Parkhouse
Fuller	Ratliff
Hardeman	Roberts
Kazen	Rogers of Travis
Kelley	Secrest
Latimer	Shireman
Martin	Strauss

## Nays—3

Lock	Willis
Rogers	
of Childress	

## Present—Not Voting

Colson	Moffett
Lane	Wagonseller

## Absent

Ashley	McDonald
Bracewell	Moore
Corbin	Phillips
Hazlewood	

## Absent—Excused

Weinert

The Presiding Officer laid before the Senate on its second reading and passage to engrossment the following bill:

C. S. S. B. No. 155, A bill to be entitled "An Act amending and revising the Title Insurance Law, Chapter 9 of the Insurance Code, Acts of the Fifty-second Legislature, Regular Session, 1951, Chapter 491, authorizing the creation of corporations for the purpose of compiling and/or acquiring and owning abstract plants in this or any other state and to compile and sell abstracts of title therefrom, and to insure the title to lands and interests therein and liens thereon, and authorizing such corporations to handle all transactions relating or incident thereto and authorizing such corporations to accumulate and lend money, to deal in securities and to act as trustee, receiver, executor, administrator, and guardian; increasing and prescribing amounts of paid-in capital of corporations operating under this Act; etc.; and declaring an emergency."

The bill was read the second time.

Senator Kelley offered the following amendment to the bill:

Amend Committee Substitute for Senate Bill 155 as follows:

By striking out the letter "a" immediately following the word "company" at the end of the eighth line, and by striking out all of lines nine to fifteen, inclusive, and that part of line sixteen up to and including the semi-colon immediately following the word "company," of the section designated "Art. 9.22A" on Page 10 of said Committee Substitute, and by inserting in lieu thereof the following language:

"a written report of title from an attorney at law duly licensed in this State covering the title to the property to be insured, in which written report such attorney shall certify that the examination of the title covered thereby and such written report of title are based on an examination of an abstract or abstracts of title prepared by a company which meets the requirements set forth in Art. 9.22, and that such examination shall cover the period of at least thirty years immediately preceding the date of such written report of title, which written report of title must be retained with the file set up on such transaction by the insuring company at least until the next succeeding examination of such company by the Board of Insurance Commissioners, which examination shall contain verification of the furnishing of such attorney's opinion to the insuring company;"

The amendment was adopted.

On motion of Senator Fly and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to engrossment.

#### Motion to Place Committee Substitute Senate Bill 155 on Third Reading

Senator Fly moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 155 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

## Yeas—14

Aikin	Kelley
Fly	Martin
Fuller	Owen
Hardeman	Parkhouse

Roberts	Secrest
Rogers	Shireman
of Childress	Strauss
Rogers of Travis	

## Nays—4

Colson	Ratliff
Lock	Willis

## Present—Not Voting

Kazen	Moffett
Lane	Wagonseller
Latimer	

## Absent

Ashley	McDonald
Bracewell	Moore
Corbin	Phillips
Hazlewood	

## Absent—Excused

Weinert

Senate Concurrent Resolution 50  
on Second Reading

On motion of Senator Strauss and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

S. C. R. No. 50, Granting permission to H. A. McKnight, et al., to bring suit against the State of Texas.

The resolution was read second time and was adopted.

## Senate Bill 427 on Second Reading

On motion of Senator Shireman and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 427, A bill to be entitled "An Act limiting the provisions of this Act to the counties of Kenedy and Kleberg, making it unlawful, except under the provisions of this Act, for any person to hunt, take, kill, or possess any game bird or game animal in said counties at any time; to take, kill, or trap any furbearing animal in said counties; to take or attempt to take any fresh water fish or other aquatic life in said counties by any means or method; prescribing the legislative policy with respect to the wildlife resources in said counties, conferring upon the Game and Fish Commission authority to regulate, by proclamation, order, rule or regula-

tion, the taking of the wildlife resources of said counties; etc.; and declaring an emergency."

The bill was read second time.

Senator Shireman offered the following committee amendment to the bill:

Amend Senate Bill 427, Section 7, by changing the period (.) after the word "Texas" in the first sentence of said Section to a comma (,) and adding the following:

" , or in the County seat of either of the Counties mentioned in Section 1 hereof."

The committee amendment was adopted.

Senator Shireman offered the following committee amendment to the bill:

Amend Senate Bill 427, Section 7, by striking out all of the remainder of such Section commencing with the word "Provided" in line 5, page 5, of the bill.

The committee amendment was adopted.

Senator Shireman offered the following committee amendment to the bill:

Amend Senate Bill 427 by adding a new Section to follow immediately after Section 7, to be numbered 8, and to renumber the succeeding sections, which new section shall read as follows:

"Sec. 8. At least five (5) days prior to the meeting at which the Commission intends to consider the adoption of rules, regulations or orders affecting either or both of the Counties mentioned in Section 1, hereof, the executive secretary of the Commission (or his assistant in his absence) shall notify the County Judge of the County or Counties to be affected of such meeting and the contemplated rule, regulation, or order to be considered. Such notice may be given by U. S. mail addressed to the County Judge at the County seat of his respective County, the County Judge or any member or members of the Commissioner's Court of the County or Counties to be affected by the contemplated rule, regulation or order shall be entitled to appear at such meeting and give testimony and offer evidence either in support of or in opposition to such contemplated rule, regula-

tion or order or parts thereof. If the Commission at such meeting shall adopt any rule, regulation or order affecting either or both of the County or Counties mentioned in Section 1 hereof, or parts of either or both of such Counties, then the Executive Secretary of the Commission (or his assistant in his absence) shall forthwith notify the County Judge of the County or Counties thus affected, of the rule, regulation or order so adopted. If the County Commissioners Court desires to suspend the operation of such rule, regulation or order, such Court shall at the next regular meeting of the Commissioners Court, or a special meeting called for such purpose, enter an order specifically suspending the said rule, regulation or order in so far as such rule, regulation or order applies to the County under such Commissioners Court's jurisdiction. Pending suspension by such Commissioners Court such rule, regulation or order shall be in full force and effect. Failure of the Commissioners to enter an order suspending such rule, regulation or order at its next regular meeting after the adoption thereof by the Commission, shall be tantamount to approval by such Court of the rule, regulation or order. In the event the Commissioners Court shall suspend the rule, regulation or order as hereinabove provided, the County Clerk shall forthwith notify the Executive Secretary of the Game and Fish Commission of such action, whereupon the previous effective rule, regulation or order shall remain in full force and effect, and the Commission shall not consider any similar proposal for that County for a period of six (6) months, unless requested to do so by the Commissioners Court of said County."

The committee amendment was adopted.

Senator Shireman offered the following committee amendment to the bill:

Amend Senate Bill 427, Section 16, by inserting after the period (.) following 1955, the following:

"In the event the Commission has not prior to the effective date of this Act adopted said rules, regulations or orders, prescribing the method, manner or place of taking game birds, game animals, furbearing animals or fresh water fish, in the Counties mentioned in Section 1 hereof or either of said Counties; then and in that

event the law governing such subjects which are in effect immediately prior to the effective date of this Act, shall be continued in full force and effect until superseded by a rule, regulation or order which has been lawfully adopted by the Commission and which rule, regulation or order has not been suspended by the Commissioners Court as hereinabove provided."

The committee amendment was adopted.

On motion of Senator Shireman, and by unanimous consent, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to engrossment.

#### Senate Bill 427 on Third Reading

Senator Shireman moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 427 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—22

Aikin	Parkhouse
Colson	Ratliff
Corbin	Roberts
Fly	Rogers
Fuller	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
Moffett	Willis
Owen	

#### Nays—1

Hardeman

#### Present—Not Voting

Kazen

#### Absent

Ashley	McDonald
Bracewell	Moore
Hazlewood	Phillips

#### Absent—Excused

Weinert

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—20

Aikin	Ratliff
Colson	Roberts
Fuller	Rogers
Kelley	of Childress
Lane	Rogers of Travis
Latimer	Secrest
Lock	Shireman
Martin	Strauss
Moffett	Wagonseller
Owen	Willis
Parkhouse	

## Nays—1

Hardeman

## Present—Not Voting

Corbin	Kazen
Fly	

## Absent

Ashley	McDonald
Bracewell	Moore
Hazlewood	Phillips

## Absent—Excused

Weinert

## Senate Bill 171 on Second Reading

On motion of Senator Ratliff, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 171, A bill to be entitled "An Act making appropriations to pay miscellaneous claims out of the General Revenue Fund, or such other funds as may be designated herein for each item, not otherwise appropriated; providing that before payment of any claim shall be paid from the funds hereby appropriated, the same shall have the approval of the State Auditor, the State Comptroller and the Attorney General; providing further that any claim involving the refund of a franchise tax shall also carry the approval of the Secretary of State in addition to the other officials herein named; and declaring an emergency."

The bill was read second time.

Senator Ratliff offered the following Committee amendment to the bill:

Amend Senate Bill 171 by striking out all below the enacting clause and

inserting in lieu thereof the following:

Section 1. The following sums of money are hereby directed to be paid out of the sum appropriated and set aside by House Bill 140, Regular Session of the 54th Legislature, for the payment of itemized claims and judgments against the State:

To pay Forrest Lumber Company, P. O. Drawer 30, Lubbock, Texas, for refund of overpayment of Cement Tax \$135.79

To pay Carlos A. Jones, 2801 Crawford, Houston 4, Texas, for refund on cancellation of land purchase \$231.16

To pay The Sprunt Corporation, c/o Franklin, Kelly and Graham, Cotton Exchange Building, Houston, Texas, for overpayment of Franchise Tax \$3,493.75

To pay Oosterhout, Holter and Meadows, 1910 15th Street, Port Arthur, Texas, for refund of expense incurred in purchasing a State Oil and Gas Lease and trying to cure title \$358.34

To pay Roy Click, Route 2, Wichita Falls, Texas, for loss on hogs infected with Vesicular Exanthema disease \$832.00

To pay Jess Gary, Route 2, Box 191, Wichita Falls, Texas, for loss on hogs infected with Vesicular Exanthema disease \$3,398.14

To pay C. G. Ford, Rt. 1, Box 33, Huntsville, Texas, for loss on hogs infected with Vesicular Exanthema disease \$566.12

To pay Clyde R. Stevens, Route 2, Box 330, San Antonio, Texas, for loss on hogs infected with Vesicular Exanthema disease \$321.47

To Pay Clyde R. Stevens, Route 2, Box 330, San Antonio, Texas, for loss on hogs infected with Vesicular Exanthema disease \$13,217.59

To pay E. O. Northcutt, Associate Justice, Court of Civil Appeals, Amarillo, Texas, for reimbursement of travel expense while holding court out of his district \$82.00

To pay Joseph W. Hale, Associate Justice, Court of Civil Appeals, Waco, Texas, for reimbursement of travel expense while holding court out of his district \$69.94

To pay Jake Tirey, Associate Justice, Court of Civil Appeals, Waco, Texas, for reimbursement of travel expense while holding court out of his district \$87.08

To pay Roger Thurmond, District Judge, Del Rio, Texas, for reimbursement of travel expense while holding court out of his district . . . \$13.29

To pay Frank G. McDonald, Chief Justice, Court of Civil Appeals, Waco, Texas, for reimbursement of travel expense while holding court out of his district . . . \$69.39

To pay Sam Williams, District Judge, Mt. Pleasant, Texas, for reimbursement of travel expense while holding court out of his district \$60.65

To pay James R. Dougherty Estate, First National Bank Building, Beeville, Texas, for refund of overpayment of Inheritance Tax . . . \$5,042.78

To pay National Farm Loan Association of Tyler, Tyler, Texas, for refund of overpayment of ad valorem tax . . . \$48.80

To pay Vernon Law Book Company, 915 Grand Avenue, Kansas City, Mo., for unpaid invoices on books delivered to Court of Civil Appeals, Beaumont, Texas . . . \$582.00

To pay Vernon Law Book Company, 915 Grand Avenue, Kansas City, Mo., for unpaid invoices on books delivered to Court of Civil Appeals, Amarillo, Texas . . . \$327.00

To pay American Law Book Company, 272 Flatbush Extension, Brooklyn, New York, for unpaid invoices on books delivered to Court of Civil Appeals, Amarillo, Texas . . . \$207.50

To pay West Publishing Company, St. Paul 2, Minnesota, for unpaid invoices on books delivered to Court of Civil Appeals in Amarillo, Texas . . . \$852.00

Section 2. There is hereby appropriated \$218.11 out of the Architects Re-Registration Fund to pay the following:

To pay Von Boeckmann-Jones, Box 62, Austin, Texas, for unpaid invoices on printing for Texas Board of Architectural Examiners, Austin, Texas . . . \$218.11

Section 3. There is hereby appropriated \$60.00 out of the Unemployment Compensation Fund to pay the following:

To pay Angelo L. Bogatto, 414 Oak. La Marque, Texas, for Warrants Nos. 890314, 890315 and 890316 on which the Statute of Limitations prohibits payment . . . \$60.00

Section 4. There is hereby appropriated \$337.00 out of the School Foundation Fund to pay the following:

To pay Fulbright Independent School District, c/o F. L. Branson, supt. of Bogata High School, Bogata, Texas, for Warrant No. 324973 on which the Statute of Limitations prohibits payment . . . \$337.00

Section 5. There is hereby appropriated \$218.00 out of the Federal Rehabilitation Fund to pay the following:

To pay N. J. Lackey, Route 7, Box 447, Fort Worth, Texas, for Warrant No. 675495 on which the Statute of Limitations prohibits payment \$218.00

Section 6. There is hereby appropriated \$19.00 out of the Old Age Assistance Fund to pay the following:

To pay Theodore Floca, 900 North 11th St., Temple, Texas, on Warrant No. G914167 on which the Statute of Limitations prohibits payment. \$19.00

Section 7. There is hereby appropriated \$576.44 out of the Texas State Railroad Fund to pay the following:

To pay Alva Sanders, National City Building, Dallas 1, Texas, for reimbursement of personal funds while serving as Chairman of Board of Managers of the Texas State Railroad . . . \$576.44

Section 8. There is hereby appropriated \$25.00 out of the Dental Registration Fund to pay the following:

To pay Carl C. Hardin, Jr., Capital National Bank Building, Austin, Texas, for refund of license fee paid from personal funds . . . \$25.00

Section 9. There is hereby appropriated \$97.69 out of the State Highway Fund to pay the following:

To pay Fred Coursey, 712 19th S. E., Paris, Texas, for expense incurred while away from District Headquarters while repairing equipment \$97.69

Section 10. There is hereby appropriated \$1,379.00 out of the Game and Fish Fund to pay the following:

To pay Wadley Benoit, 1540-D James Long Apartments, Port Arthur, Texas, for refund of Non-residential Commercial Fisherman's License No. 4 issued September 1, 1944 . . . \$197.00

To pay Robert E. Broussard, Jr., Del Walt Hotel, Brownsville, Texas, for refund of Non-residential Commercial Fisherman's License No. 533 issued September 4, 1947, and No. 790 issued April 5, 1947 . . . \$394.00

To pay Harry M. Brown, Jr., 3267 Delta Avenue, Long Beach, California, for refund of Non-residential Com-

mercial Fisherman's License No. 17  
issued November 13, 1948 \$197.00

To pay Joseph Cardinale, General  
Delivery, Aransas Pass, Texas, for  
refund on Non-resident Commercial  
Fisherman's License No. 504 issued  
February 6, 1946 \$197.00

To pay Jules Simoneaux, Rt. 1, Box  
317, Brownsville, Texas, for refund  
of Non-resident Commercial Fisher-  
man's License No. 807 issued April  
3, 1947 \$197.00

To pay A. N. Tabbot, Box 68, Mc-  
Kenzie Road, Brownsville, Texas, for  
refund of Non-residential Commercial  
Fisherman's License No. 718 issued  
December 5, 1946 \$197.00

Section 11. It is specifically provid-  
ed herein that before any claim shall  
be paid from funds hereby appro-  
priated the same shall have the ap-  
proval of the State Auditor, the State  
Comptroller and the Attorney Gen-  
eral. It is further provided that any  
claim involving the refund of a fran-  
chise tax shall carry the approval of  
the Secretary of State in addition to  
the other officials herein named.

Section 12. That the Comptroller is  
hereby authorized and directed to  
issue a warrant or warrants on the  
State Treasury in favor of each of the  
persons, firms, or corporations named  
herein, in the amounts set opposite  
their respective names, and shall mail  
or deliver to each of the said persons,  
firms, or corporations at their respec-  
tive addresses, warrant or warrants  
in payment of said claim or claims,  
and said persons, firms or corpora-  
tions, shall duly receipt the Comptrol-  
ler for said warrant or warrants in  
payment of said claim or claims.

Section 13. The facts that the  
claims herein appropriated are past  
due, and the persons, firms, and cor-  
porations to whom the same are pay-  
able are being deprived of the pro-  
ceeds thereof, creates an emergency  
and an imperative necessity that the  
constitutional rule requiring bills to  
be read on three several days in each  
House be, and the same is hereby  
suspended and this Act shall take  
effect and be in force from and after  
its passage, and it is so enacted.

The committee amendment was  
adopted.

Senator Ratliff offered the follow-  
ing committee amendment to the bill:

Amend Senate Bill 171 by striking  
out all above the enacting clause and  
inserting in lieu thereof the following:

## A BILL TO BE ENTITLED

"An Act directing payment of certain  
miscellaneous claims and judgments  
out of the sum appropriated for that  
purpose in the General Appropriation  
Bill; making appropriations for and  
directing payment of certain miscel-  
laneous claims and judgments out of  
other funds designated herein; re-  
quiring approval of claims in the  
manner specified in the Act before  
payment is made; and declaring an  
emergency."

The committee amendment was  
adopted.

Senator Hardeman offered the fol-  
lowing amendment to the bill:

Amend Committee Amendment No.  
1 of S. B. 171 by adding a new sec-  
tion to be called "Section 12a" which  
shall read as follows:

"The Comptroller is directed, prior  
to the payment of any of the claims  
listed above which are for the purpose  
of paying for law books, to ascertain  
the name of the Justice or Justices of  
the respective Courts of Civil Ap-  
peals responsible for the placing of  
the order for such law books with the  
law book company. Said Comptroller  
is specifically directed to withhold the  
payment of salary to such Justice or  
Justices until such time as an amount  
has been withheld which shall equal  
the amount which is to be paid by  
virtue of this Act for such law books  
ordered by such Justice or Justices.  
The above provision is made in ac-  
cordance with Section 10 of Article 16  
of the Constitution of Texas."

The amendment was adopted.

(President in the Chair.)

The bill, as amended, was passed  
to engrossment.

## Senate Bill 171 on Third Reading

Senator Ratliff moved that Senate  
Rule 32 and the Constitutional rule  
requiring bills to be read on three  
several days be suspended and that  
Senate Bill No. 171 be placed on its  
third reading and final passage.

The motion prevailed by the follow-  
ing vote:

Yeas—23

Aikin

Colson



Fly	Parkhouse
Fuller	Ratliff
Hardeman	Roberts
Kazen	Rogers
Kelley	of Childress
Lane	Rogers of Travis
Latimer	Secrest
Lock	Shireman
Martin	Strauss
Moffett	Wagonseller
Owen	Willis

Present—Not Voting

Corbin	Phillips
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Absent.

Ashley	McDonald
Bracewell	Moore
Hazlewood	

Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Motion to Place Senate Bill 186 on Second Reading

Senator Rogers of Travis asked unanimous consent to suspend the regular order of business and take up S. B. No. 186 for consideration at this time.

There was objection.

Senator Rogers of Travis then moved to suspend the regular order of business and take up S. B. No. 186 for consideration at this time.

The motion was lost by the following vote:

Yeas—9

Aikin	Rogers
Corbin	of Childress
Kelley	Rogers of Travis
Lock	Secrest
Ratliff	Strauss

Nays—14

Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Hardeman	Roberts
Kazen	Shireman
Lane	Wagonseller
Martin	Willis

Present—Not Voting

Latimer	Moffett
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Absent

Ashley	McDonald
Bracewell	Moore
Hazlewood	

Absent—Excused

Weinert

#### Senate Bill 379 on Second Reading

On motion of Senator Secrest and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 379, A bill to be entitled "An Act amending Section 57 of House Bill 407, Chapter 4, Acts of the 46th Legislature, as amended by Chapter 272, Acts of the 48th Legislature, Regular Session, 1943, as amended by Chapter 368, Acts of the 52nd Legislature, Regular Session, 1951, so as to prescribe the fees for the issuance of Certificates of Title, providing for the collection and disposition of such fees, providing for additional compensation of county tax assessor-collectors for their services in administering the Certificate of Title Act; making an appropriation of the fees allocated to the State Highway Department; and declaring an emergency."

The bill was read the second time.

Senator Secrest offered the following committee amendment to the bill:

Amend S. B. 379 by striking out the following words at the end of the first paragraph of page 3 the following:

"Not less than Four Hundred Dollars (\$400) nor more than Five Hundred Dollars (\$500) per month" and substituting therefor the following words:

"the sum of Two Hundred Dollars (\$200) per month."

The amendment was read.

Senator Secrest offered the following substitute for the committee amendment:

Amend Senate Bill 379 by deleting the language from the next to the last paragraph of Section 1 as follows:

"in counties having a population of

not less than two hundred thousand and one and not more than six hundred thousand inhabitants, not less than Two Hundred Dollars (\$200) nor more than Three Hundred Dollars (\$300) per month; in counties having a population of not less than six hundred thousand and one inhabitants and not more than eight hundred thousand inhabitants, not less than Three Hundred Dollars (\$300) nor more than Four Hundred Dollars (\$400) per month; and in counties having a population of eight hundred thousand and one inhabitants or more, not less than Four Hundred Dollars (\$400) nor more than Five Hundred Dollars (\$500) per month."

and substituting therefor the following:

"and in counties having a population of two hundred thousand and one inhabitants or more, not less than Two Hundred Dollars (\$200) nor more than Two Hundred Fifty Dollars (\$250) per month."

The substitute for the committee amendment was adopted.

The committee amendment, as substituted, was then adopted.

On motion of Senator Secrest, and by unanimous consent, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to engrossment.

#### Senate Bill 379 on Third Reading

Senator Secrest moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 379 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—23

Aikin	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers of Travis
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Willis
Moffett	

#### Present—Not Voting

Martin	Rogers of Childress
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#### Absent

Ashley	McDonald
Bracewell	Moore
Hazlewood	

#### Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—23

Aikin	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers of Travis
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Willis
Moffett	

#### Nays—1

Martin

#### Present—Not Voting

Rogers of Childress
------------------------

#### Absent

Ashley	McDonald
Bracewell	Moore
Hazlewood	

#### Absent—Excused

Weinert

#### Senate Bill 426 on Second Reading

On motion of Senator Lock, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 426, A bill to be entitled "An Act abolishing the Special Second District Court of Texas, composed of Angelina, Cherokee and Nacogdoches Counties; providing for the creation of a permanent judicial dis-

trict court to be known as the 145th Judicial District Court of Texas, composed of Angelina, Cherokee, and Nacogdoches Counties; providing for the appointment by the Governor of a Judge of the District Court of the 145th Judicial District, who shall hold office until the next General Election; etc.; and declaring an emergency."

The bill was read second time.

Senator Lock offered the following amendment to the bill:

Amend Senate Bill No. 426 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. That from and after September 1, 1955, the Special Second District Court of Texas, composed of Angelina, Cherokee and Nacogdoches Counties, shall be abolished, and the District Court of the 145th Judicial District of Angelina, Cherokee and Nacogdoches Counties is created and is hereby constituted a permanent regular District Court.

"Sec. 2. The Governor of the State of Texas shall appoint a person having the qualifications provided by the Constitution and laws of Texas as Judge of the District Court of the 145th Judicial District, and he shall hold office until the next General Election and until his successor shall be duly elected and qualified. Thereafter such Judge shall be elected as provided by the Constitution and laws of this State, and he shall receive such compensation as allowed other District Judges under the laws of Texas.

"Sec. 3. There shall be two (2) terms of the District Court of the 145th Judicial District in each of the counties of Angelina, Cherokee and Nacogdoches, Texas, each year.

"In Angelina County, the first term shall be known as the June-November term, and shall begin each year on the first Monday in June, and the second term of said court in Angelina County, Texas, which shall be known as the December-May term, shall begin each year on the first Monday in December.

"In Cherokee County, the first term shall be known as the April-October term and shall begin each year on the first Monday of April, and the second term, which shall be known as the October-March term, shall begin each year on the first Monday in October.

"In Nacogdoches County, the first term shall be known as the February-July term, and shall begin on the first Monday in February and the second term shall be known as the August-January term and shall begin each year on the first Monday in August.

"Each term of court in each of such counties may continue until the date herein fixed for the beginning of the next succeeding term therein.

"The Judge of said court, in his discretion, may hold as many sessions of court in any term of the court in any county as is deemed by him proper and expedient for the dispatch of business.

"Sec. 4. There shall be two (2) terms of the Second Judicial District Court in each of the counties of Angelina, Cherokee and Nacogdoches, Texas, each year.

"In Angelina County, the first term shall be known as the March-August term and shall begin each year on the first Monday in March and the second term of said Court in Angelina County, Texas, which shall be known as the September-February term, shall begin each year on the first Monday in September.

"In Cherokee County, the first term shall be known as the January-June term, and shall begin each year on the first Monday of January, and the second term, which shall be known as the July-December term, shall begin each year on the first Monday in July.

"In Nacogdoches County, the first term shall be known as the May-October term, and shall begin each year on the first Monday in May, and the second term shall be known as the November-April term and shall begin each year on the first Monday in November.

"Each term of court in each of such counties may continue until the date herein fixed for the beginning of the next succeeding term therein.

"The Judge of said court, in his discretion, may hold as many sessions of court in any term of the court in any county as is deemed by him proper and expedient for the dispatch of business.

"Sec. 5. The said two (2) District Courts of Angelina, Cherokee, and Nacogdoches Counties shall have jurisdiction over all matters, both civil and criminal, of which jurisdiction is given or shall be given by the Constitution and Laws of Texas to District Courts; and said two (2) District Courts shall have concurrent

civil and criminal jurisdiction of all matters, civil and criminal, of which jurisdiction is given to the District Court by the Constitution and Laws of the State of Texas.

"Sec. 6. The Judge and all district officers of the Second Judicial District, as heretofore constituted, shall be the Judge and district officers of the Second Judicial District as constituted and reorganized by this Act, during the terms for which each was respectively elected.

"Sec. 7. The District Attorney for the Second Judicial District shall represent the State in all criminal cases in the District Court of the 145th Judicial District and perform such other duties as are or may be provided by law governing District Attorneys.

"Sec. 8. The clerk of the District Court of each of the Counties of Angelina, Cherokee and Nacogdoches, and his successors in office, shall be the clerk of the District Court of the 145th Judicial District in his county, and shall perform all duties pertaining to the clerkship of each of said courts.

"Sec. 9. There shall be one (1) general docket for the Second District and the 145th Judicial District in each of the Counties of Angelina, Cherokee and Nacogdoches. All suits and other proceedings instituted in any county in the district of which the District Court has jurisdiction shall be addressed to the District Court of the county in which the suit or other proceeding is instituted. The Judge of either the District Court of the Second District or the 145th Judicial District may hear and dispose of any suit or other proceeding on the general docket of the District Court of the county in which the suit or other proceeding is instituted, without the necessity of transferring the suit or other proceeding from one court to another. Every judgment and order shall be entered in the minutes of the District Court of the county in which the proceedings are pending, and the clerk of the District Court of the county shall keep one (1) set of minutes in which shall be recorded all the judgments and orders of the Second District Court and the 145th Judicial District. All citations and other process issued by the district clerk and all notices, restraining orders and other process authorized to be issued by the Judge of the Second District Court or the 145th Judicial District shall be returnable to the District

Court of the county in which such suit or other proceeding is pending, without reference to the designation of the District Court, and on the return of such process, a hearing or trial shall be presided over by the Judge of either the Second District Court or the 145th Judicial District.

"Sec. 10. On the effective date of this Act the district clerks of each of the Counties in the Special Second District Court shall transfer all civil and criminal cases pending in the Special Second District Court to the District Court of the 145th Judicial District.

"Sec. 11. All processes and writs issued or served and recognizances, bonds and undertakings before this Act takes effect and made returnable to the Special Second District Court in the Counties of Angelina, Cherokee and Nacogdoches shall be considered as returnable to the next succeeding term of the District Court of the 145th Judicial District; and providing that all grand and petit juries drawn and selected under existing laws in Angelina, Cherokee and Nacogdoches Counties shall be considered as lawfully drawn and selected for the next ensuing term of the District Court of the 145th Judicial District in their respective counties.

"Sec. 12. Nothing herein shall prevent the Judges of both the Second District Court and the District Court of the 145th Judicial District from legally sitting and hearing cases in the same county of such district at the same time.

"Sec. 13. The Judges of each of said courts, each for his own court, shall have the right to appoint an official court reporter who shall have the qualifications and receive the same compensation as is now, or may hereafter be, fixed by law, for court reporters in District Courts.

"Sec. 14. The Judges of the Second District Court and the District Court of the 145th Judicial District shall sign the minutes of each term of said respective courts in each of said counties within thirty (30) days after the end of each term, and each Judge shall also sign the minutes of the other court covering such proceedings as were had before him.

"Sec. 15. Qualified jurors for service in both the Second District Court and the District Court of the 145th Judicial District in Angelina, Cherokee and Nacogdoches Counties shall be selected by jury commissions in

accordance with the provisions of Article 2104 of the Revised Civil Statutes of Texas, as amended, and succeeding Articles; and the provisions of Senate Bill No. 466, Chapter 467, Acts of the 51st Legislature of Texas (Article 2094), or any other provisions of the law concerning selection of petit jurors by the jury wheel shall not apply in said District Courts in said counties.

"Sec. 16. The Judges of the Second District Court and of the District Court of the 145th Judicial District may each take a vacation and not attend court for four (4) weeks in each year; the Judges of said courts shall by agreement between themselves, take their vacations alternately so that there shall at all times be at least one (1) of said Judges in the Judicial Districts composed of Angelina, Cherokee and Nacogdoches Counties.

"Sec. 17. The respective judges of the Second Judicial District Court, and the District Court of the 145th Judicial District may, from time to time, as occasion may require, transfer cases or other proceedings from one court to the other, of which such other court has jurisdiction, and the judges of each of said courts in such respective counties, may, in their discretion, exchange benches or districts from time to time; and any of them may, in his own courtroom, try and determine any case or proceeding pending in the other court without having the case transferred, or may sit in any other court and there hear and determine any case pending, and every judgment and order shall be entered on the minutes of the court in which the case is pending or order rendered as provided by law. The judge of any of said courts, in such respective counties, may issue restraining orders and injunctions returnable to the other judges or courts in such counties.

"Sec. 18. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed to the extent of such conflict only; as to all other laws and parts of laws, this Act shall be cumulative.

"Sec. 19. If any portion of this Act is held unconstitutional by a court of competent jurisdiction, the remaining provisions of this Act shall nevertheless be valid, the same as if the portion held to be unconstitutional had not been a part of this Act.

"Sec. 20. This Act shall take effect and be in force from and after September 1, 1955.

"Sec. 21. The fact that the Act creating the Special Second District Court of Angelina, Cherokee and Nacogdoches Counties are in need of a permanent court, and the further fact that the other regular District Court is unable to dispose of the criminal and civil cases in these counties without undue delay, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three (3) several days in each House be suspended, and said rule is hereby suspended, and that this Act shall take effect and be in force from and after September 1, 1955, and it is so enacted.

The amendment was adopted.

Senator Lock offered the following amendment to the bill:

Amend Senate Bill 426 by striking out all above the enacting clause and inserting in lieu thereof the following:

#### A BILL TO BE ENTITLED

"An Act abolishing the Special Second District Court of Texas, composed of Angelina, Cherokee, and Nacogdoches Counties; providing for the creation of a permanent judicial district court to be known as the 145th Judicial District Court of Texas, composed of Angelina, Cherokee, and Nacogdoches Counties; providing for the appointment by the Governor of a Judge of the District Court of the 145th Judicial District, who shall hold office until the next General Election and until his successor shall be duly elected and qualified, and providing for his compensation; providing for the terms of the 145th Judicial District Court created hereby and providing for continuous terms of said court in each of said counties; providing for the terms of the Second Judicial District Court in each of said counties and providing for continuous terms of said court in each of said counties; providing for a Clerk and for a District Attorney for said District Courts; providing for continuance in office of the Judge of the Second District Court; prescribing the jurisdiction of said courts; providing for one general docket for both said courts; providing that the District Clerks in each of the counties gov-

erned by this Act shall transfer all criminal and civil cases from the Special Second District Court to the District Court of the 145th Judicial District on the effective date of this Act; providing that all processes and writs issued or served and recognizances, bonds and undertakings before this Act takes effect and made returnable to the Special Second District Court shall be considered as returnable to the next succeeding term of the District Court of the 145th Judicial District; providing that all grand and petit juries drawn and selected under existing laws in Angelina, Cherokee, and Nacogdoches Counties shall be considered as lawfully drawn and selected for the next ensuing term of the District Court of the 145th Judicial District in their respective counties; providing that the Judges of said courts may sit in the same county at the same time; providing for the appointment of court reporters by the Judges of each of said courts and providing for payment therefor; providing for the method of selecting qualified jurors in both said courts; providing for a vacation for the Judges of said courts; making other provisions relative to the business and functioning of the District Courts in the counties affected; repealing all laws in conflict herewith to the extent of such conflict only; providing a severability clause; and declaring an emergency."

The amendment was adopted.

The bill as amended was passed to engrossment.

#### Record of Votes

Senators Shireman and Martin asked to be recorded as voting "nay" on the passage of S. B. No. 426 to engrossment.

#### Senate Bill 426 on Third Reading

Senator Lock moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 426 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—21

Aikin	Corbin
Colson	Fly

Fuller	Parkhouse
Hardeman	Phillips
Kazen	Ratliff
Kelley	Roberts
Lane	Secrest
Latimer	Strauss
Lock	Wagonseller
Moffett	Willis
Owen	

Nays—2

Martin	Shireman
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Present—Not Voting

Rogers  
of Childress

Absent

Ashley	McDonald
Bracewell	Moore
Hazlewood	Rogers of Travis

Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—21

Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Kazen	Rogers
Kelley	of Childress
Lane	Rogers of Travis
Latimer	Secrest
Lock	Strauss
Moffett	Wagonseller
Owen	Willis

Nays—4

Aikin	Martin
Hardeman	Shireman

Absent

Ashley	McDonald
Bracewell	Moore
Hazlewood	

Absent—Excused

Weinert

#### Senate Bill 412 on Second Reading

On motion of Senator Owen and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its

second reading and passage to engrossment:

S. B. No. 412, A bill to be entitled "An Act amending Section 1 of Senate Bill No. 199, Acts of the 54th Legislature, Regular Session, so as to clarify the powers and authority therein conferred on El Paso County Water Control and Improvement District No. 4; and declaring an emergency."

The bill was read second time and passed to engrossment.

### Senate Bill 412 on Third Reading

Senator Owen moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 412 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—25

Aikin	Owen
Ashley	Parkhouse
Colson	Phillips
Corbin	Ratliff
Fly	Roberts
Fuller	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Lock	Strauss
Martin	Wagonseller
Moffett	Willis

#### Nays—2

Latimer	Moore
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#### Absent

Bracewell	McDonald
Hazlewood	

#### Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—23

Aikin	Fly
Ashley	Fuller
Colson	Hardeman
Corbin	Kazen

Lane	Rogers
Lock	of Childress
Moffett	Rogers of Travis
Owen	Secrest
Parkhouse	Shireman
Phillips	Strauss
Ratliff	Wagonseller
Roberts	Willis

#### Nays—3

Latimer	Moore
Martin	

#### Present—Not Voting

Kelley

#### Absent

Bracewell	McDonald
Hazlewood	

#### Absent—Excused

Weinert

### Senate Bill 170 on Second Reading

Senator Parkhouse asked unanimous consent to suspend the regular order of business and take up S. B. No. 170 for consideration at this time.

There was objection.

Senator Parkhouse then moved to suspend the regular order of business and take up S. B. No. 170 for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—19

Aikin	Moffett
Colson	Owen
Corbin	Parkhouse
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers of Travis
Kazen	Secrest
Lane	Shireman
Latimer	Willis
Lock	

#### Nays—7

Ashley	Rogers
Martin	of Childress
Moore	Strauss
Phillips	Wagonseller

#### Present—Not Voting

Kelley

#### Absent

Bracewell	McDonald
Hazlewood	

## Absent—Excused

Weinert

The President laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 170, A bill to be entitled "An Act to amend Section 2, Article 21.38 of the Insurance Code, Acts 1951, 52nd Legislature, Page 868, Chapter 491; providing for a license fee of \$100.00; providing that license fees collected hereunder shall be placed with the State Treasurer in a separate fund, known as the Local Recording Agents' and Solicitors' License Fund; providing a saving clause; repealing all laws or parts of laws in conflict; and declaring an emergency."

The bill was read the second time.

Question—Shall S. B. No. 170 be passed to engrossment?

## Senate Bill 417 on Second Reading

On motion of Senator Strauss and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 417, A bill to be entitled "An Act creating a Juvenile Board for Waller County and designating the chairman thereof; providing additional compensation for county and district judges serving thereon; stating the effect of this act on existing laws; and declaring an emergency."

The bill was read second time and passed to engrossment.

## Senate Bill 417 on Third Reading

Senator Strauss moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 417 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—25

Aikin	Kelley
Ashley	Lane
Colson	Latimer
Corbin	Lock
Fly	Martin
Fuller	Moffett
Hardeman	Owen
Kazen	Parkhouse

Ratliff	Secrest
Roberts	Shireman
Rogers	Strauss
of Childress	Wagonseller
Rogers of Travis	Willis

## Nays—1

Moore

## Present—Not Voting

Phillips

## Absent

Bracewell	McDonald
Hazlewood	

## Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—25

Aikin	Moffett
Ashley	Owen
Colson	Parkhouse
Corbin	Ratliff
Fly	Roberts
Fuller	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Willis

## Nays—1

Moore

## Present—Not Voting

Phillips

## Absent

Bracewell	McDonald
Hazlewood	

## Absent—Excused

Weinert

## Motion to Place Senate Bill 319 on Second Reading

Senator Willis asked unanimous consent to suspend the regular order of business and take up S. B. No. 319 for consideration at this time.

There was objection.



Senator Willis then moved to suspend the regular order of business and take up S. B. No. 319 for consideration at this time.

The motion was lost by the following vote:

## Yeas—12

Corbin	Parkhouse
Fuller	Phillips
Lane	Rogers of Travis
Lock	Secrest
Moffett	Strauss
Moore	Willis

## Nays—14

Aikin	Owen
Ashley	Ratliff
Fly	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Shireman
Latimer	Wagonseller
Martin	

## Absent

Bracewell	Hazlewood
Colson	McDonald

## Absent—Excused

Weinert

**Vote Reconsidered on Senate Bill 318**

On motion of Senator Fuller and by unanimous consent the vote by

which the Senate concurred in House amendments to S. B. No. 318 on yesterday was reconsidered.

The Senate then concurred in House amendments to S. B. No. 318 by the following vote:

## Yeas—23

Ashley	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Kazen	Rogers
Kelley	of Childress
Lane	Rogers of Travis
Latimer	Secrest
Martin	Strauss
Lock	Wagonseller
Moffett	Willis

## Nays—4

Aikin	Moore
Hardeman	Shireman

## Absent

Bracewell	McDonald
Hazlewood	

## Absent—Excused

Weinert

**Adjournment**

On motion of Senator Hardeman the Senate at 10:07 o'clock p. m. adjourned until 11:00 o'clock a. m. tomorrow.

**In Memory of**  
**Pelham K. Wallace**

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Senator Parkhouse offered the following resolution:

(Senate Resolution 303)

Whereas, Almighty God, in His infinite wisdom, did call from his earthly labors Pelham K. Wallace in the seventy-seventh year of his life; and

Whereas, Mr. Wallace was born in Deport, Lamar County, and attended schools there, and was graduated from the old Paris College of Liberal Arts. He operated a cotton brokerage firm in Paris, Texas, and later moved to Dallas to accept a position with the United States Department of Agriculture.

Whereas, He again entered the cotton and seed brokerage business in 1945, and became one of the outstanding cotton classers of the South, and organized a school for cotton classing in Paris, Texas. He pioneered in the okra seed industry in Northeast Texas and worked untiringly for the improvement of agricultural methods; and

Whereas, He was a member of the Paris Country Club, the Cotton Classers Club, and Odd Fellows, and gave unstintingly of his time to aid in the civic growth and progress of his City and State; and

Whereas, Mr. Wallace is survived by his widow, a son, a daughter, two grandchildren, and one great-grandson; now, therefore, be it

Resolved, By the Senate of the State of Texas, that we here and now extend our deepest sympathy to his bereaved family, and that a page in the Journal be dedicated to the memory of this respected citizen and gentleman; and be it further

Resolved, That when the Senate adjourns today, it do so in memory of Pelham K. Wallace.

The resolution was read and was adopted by a rising vote of the Senate.